

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: July 14, 2011

Agenda Item: Cherry and Granite lakes temporary waiver of daily and possession limits

Division: Fish and Wildlife (Fisheries) **Action Needed:** Approval of Proposed Rule

Time Needed on Agenda for this Presentation: 10 minutes

Background

FWP plans to restore nonhybridized westslope cutthroat trout to Cherry Creek, a tributary to the Big Hole River, by using rotenone to remove brook trout and hybridized trout. These fish are slated to be removed from the stream and the two headwater lakes (Cherry and Granite) in late August 2011. FWP is proposing to remove the limits (5 daily, 10 in possession) on these lakes effective immediately until Sept. 1, 2011. Both lakes are accessible by foot or ATV.

Public Involvement Process & Results

Prior to the release of the Environmental Assessment, the project was scoped with four adjacent private landowners, the USFS and BLM. Also, the Anaconda Sportsmen, Skyline Sportsmen, George Grant Chapters of Trout Unlimited, the Big Hole Watershed Committee and the Big Hole River Foundation were presented with an explanation of the proposed project and allowed to provide feedback. All of these parties have expressed support for the proposal. The EA was published for 30 days with public meetings in Dillon and in Butte. On May 20 a Decision Notice was signed by the Region 3 Regional Supervisor authorizing the decision to proceed with the project. The Cherry and Granite lakes limit waiver was approved by the FWP Commission on April 14, and underwent a 30-day public comment period from May 20-June 20, 2011. News stories were also released to local news outlets from the regional office in Bozeman. Five comments were received through the FWP website and two were in favor of the limit waivers while the other three did not address the proposal directly, rather they a) spoke in opposition to the chemical treatments, b) disputed the value of cutthroat restoration efforts, and c) recommended that control of bull trout was a more important fish management objective.

Alternatives and Analysis

- **No Action:** Leave the current regulations (5 trout/day and 10 in possession) in place. This would not allow the public to maximize fish harvest before treatment and may generate more public resistance to these types of projects in the future.
- **Proposed Action:** Waive limits on Cherry and Granite lakes: This would maximize fish removal by anglers prior to removal with rotenone and it would satisfy the public's desire to minimize waste. This could create minor enforcement problems since other lakes in nearby drainages would not have limit waivers. This effort, however, has been coordinated with FWP enforcement and will not likely be a significant problem because Cherry and Granite lakes are the only lakes in the drainage with cutthroat trout accessible via the Cherry Creek Road.

Agency Recommendation & Rationale

Limit waivers create public good will and support and enhance to some degree the chance to achieve the project goal of fish removal. Similar waivers have been successfully used in other projects such as the South Fork of Flathead. The limited public comment shows support for the current waiver proposals, and FWP therefore recommends final adoption of the rule to waive limits on these two lakes.

Proposed Motion

I move that the daily and possession bag limits for Cherry and Granite lakes be removed effective immediately through Sept. 1, 2011.